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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

ARTHUR E. ROSS, #1005
226 Queen Street, Suite 210
HONOLULU, HAWAII 96813
TELEPHONE NO. 52-4343

MAR 16 2006
at 9 o'clock and 20 min. JTB
SUE BEITIA, CLERK

RORY SOARES TOOMEY, #2323
1088 BISHOP STREET, SUITE 1004
HONOLULU, HAWAII 96813
TELEPHONE NO. 533-7162

Attorneys for Plaintiff
OFELIA COLOYAN

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN

Plaintiff,

vs.

WILLIAM BADUA, JEFFERY
OMAI; SPENCER ANDERSON;
NEIL PANG; and DOES 5-10

Defendants.

CIVIL NO. 03-00476-KSC

NOTICE OF FILING PLAINTIFF'S
SUPPLEMENTAL JURY
INSTRUCTION; CERTIFICATE OF
SERVICE

Trial is set for March 14, 2006.

NOTICE OF FILING PLAINTIFF'S PROPOSED SUPPLEMENTAL JURY


INSTRUCTION

Ofelia Coloyan Plaintiff above-named by and through her attorneys Jack Schweigert, Esq., Arthur E. Ross, Esq. and Rory Soares Toomey, Esq. submits a proposed supplemental jury instruction which has not been agreed to by the parties.

The Plaintiff reserves his right to withdraw any proposed instruction, to add new instructions, and/or to amend any proposed instruction. By submitting these proposed instructions, the Plaintiff does not admit or concede that any particular issue is, or may be properly submitted to the jury, nor dose the Plaintiff does not admit or concede that any particular issue is a jury issue as opposed to a matter to be decided by the Court.

Nothing in these instructions constitutes consent by the Plaintiff to try any issue raised in the pleadings.

DATED: Honolulu, Hawaii, March 15, 2006



JACK SCHWEIGERT
ARTHUR E. ROSS
RORY SOARES TOOMEY
Attorneys for Plaintiff
OFELIA COLOYAN

Plaintiff's Proposed Jury Instruction No. 19

There can be no effective consent to a search if that consent follows a law enforcement officer's assertion of an independent right to conduct that search.

CITED Orhorhaghe v. Immigration and Naturalization Service, 38 F.3d 488,
501 (9th Cir. 1994)

_____ Given as Requested
_____ Given as Modified
_____ Refused
_____ Withdrawn

Over objection of:

_____ Plaintiff
_____ Defendants

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Plaintiff,

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NEIL PANG; and DOES 5-10

Defendants.

CIVIL NO. 03-00476-KSC

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

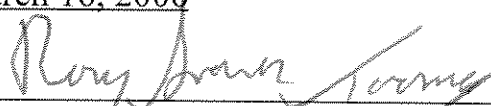
I HEREBY CERTIFY that on March 16, 2006, a copy of the attach
document was served upon:

KENDRA K. KAWAI
550 S. KING ST., Rm 110
HONOLULU, HAWAII

☒ HAND DELIVERED
☐ UNITED STATES MAIL, first class
Postage prepaid

Attorney for Defendants
WILLIAM BADUA; SPENCER
ANDERSON, NEIL PANG

DATED: Honolulu, Hawaii, March 16, 2006



JACK SCHWEIGERT
ARTHUR E. ROSS
RORY SOARES TOOMEY
Attorneys for Plaintiff
OFELIA COLOYAN